

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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LADELL A. EVANS,

Plaintiff,

v.

**Case No. 22-CV-1255**

AARON A. BAMKE, *et al.*,

Defendants.

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**ORDER**

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On August 28, 2023, *pro se* plaintiff LaDell A. Evans filed a motion for injunctive relief and sanctions, alleging that defendant Aaron A. Bamke lied in his interrogatory responses. (ECF No. 24.) Specifically, he states that Bamke lied about not witnessing Evans with a razor and that Bamke had never been sued before.

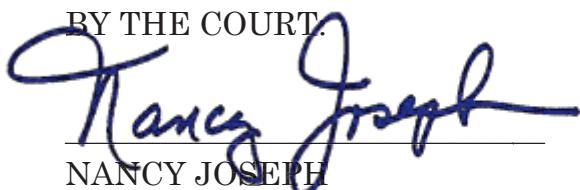
To impose sanctions, a court must base that determination “on a finding that the culpable party willfully abused the judicial process or otherwise conducted the litigation in bad faith.” *Ramirez v. T&H Lermont, Inc.*, 845 F.3d 772, 776 (7<sup>th</sup> Cir. 2016). Here, there is no evidence that Bamke willfully abused the judicial process or acted in bad faith. As to the prior lawsuit, Bamke acknowledges that he erroneously stated that he had never been sued before and states that he was part of a lawsuit in 2020. (ECF No. 31.) Mistake is not the same as willfully abusing the judicial process and Evans has not shown otherwise. Regarding, the razor incident, Bamke maintains

that he did not witness Evans with a razor. This is factual disagreement for another day, not a showing of willfully abusing the judicial process. Accordingly, Evans's motion is denied.

**IT IS HEREBY THEREFORE ORDERED** that Evans' motion for injunctive relief and sanctions (ECF No. 24) is **DENIED**.

Dated at Milwaukee, Wisconsin this 27th day of October, 2023.

BY THE COURT.



NANCY JOSEPH

United States Magistrate Judge